

ORDINANCE NUMBER 08 - 48

**ORDINANCE APPROVING A RESUBDIVISION FOR A TRACT PRESENTLY IN THE M-1 ZONING DISTRICT WHICH IS COMMONLY KNOWN AS 315 BARRINGTON AVE, EAST DUNDEE, ILLINOIS**

**WHEREAS**, the Village of East Dundee is a home rule unit of local government under and pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, has the authority to exercise any power and perform any function pertaining to its government and affairs, including but not limited to the power to regulate for the protection of the public health, safety, morals, and welfare; and

**WHEREAS**, application has been made by Daniel Scully (“Owner”) under Petition No. P/Z 07-12-02 requesting a resubdivision of the portion of the property in the M-1 zoning district, for the property commonly known as 315 Barrington Ave., Village of East Dundee, State of Illinois; and

**WHEREAS**, the Planning and Zoning Commission (hereinafter the “Commission”) of the Village of East Dundee, pursuant to notice and pursuant to the Village of East Dundee Code of Ordinances, Chapter 156.05(B)(3) held a hearing on July 10, 2008 on Petition No. P/Z 07-12-02; and

**WHEREAS**, pursuant to said hearings, the Commission recommended approval of the applications under Petition No. P/Z 07-12-02, requesting a resubdivision of the property presently in the M1 zoning district subject to compliance with the memorandum of the village engineer dated June 12, 2008, by a vote of 7 ayes, 0 naves and 2 absent.

**NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, KANE AND COOK COUNTIES, ILLINOIS, AS FOLLOWS:**

**Section One.** That the recommendation of the Commission is hereby approved and adopted.

**Section Two.** That the application for a resubdivision for a tract presently in the M-1 zoning district for the property commonly known as 315 Barrington Ave., Village of East Dundee, State of Illinois, under Petition No. 07-12-02 is hereby granted, subject to the memorandum of the village

engineer dated June 12, 2008, and in accordance with the preliminary plat of Rebiks Resubdivision of Block 4.

**Section Three. Severability.** If any section, paragraph or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this ordinance.

**Section Four. Repeal.** All ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.

**Section Five. Publication.** This ordinance shall be in full force and effect forthwith upon its adoption, approval and publication in pamphlet form as provided by law.

Adopted this 4<sup>th</sup> day of Aug, 2008, pursuant to a roll call vote as follows:

AYES: Carlini, Lynam, Cichowski, Mahony,  
Pres O'Leary

NAYES: \_\_\_\_\_

ABSENT: Rutledge Gorman

Approved by me this 4<sup>th</sup> day of Aug, 2008.

Dan O'Leary  
DAN O'LEARY, President

Published in pamphlet form this 6<sup>th</sup> day of Aug, 2008, under the authority of the President and Board of Trustees.

ATTEST:  
Susan Norton  
SUSAN NORTON, Village Clerk

Recorded in the Village Records on Aug 6, 2008.

